

Testimony on Senate Bill 473

Andy Baur, Executive Director, Prickly Pear Land Trust
February 19, 2009

Mr. chairman and members of the committee, My name is Andy Baur and I am the Executive Director of the Prickly Pear Land Trust based here in Helena.

My colleagues have done an excellent job laying out some of the questions and concerns they have with Senate Bill 473. I only want to add a couple of points as an operator of a smaller land trust and how this bill will affect our business.

First I want to acknowledge the sponsor for their concern about private land conservation in Montana. Indeed members of the Montana Association of Lands Trusts share the belief that our work should be done to serve the highest public benefit in the most transparent manner. This is why we supported an audit of land trusts and conservation easements in the last session. And I think that that audit showed how well land trusts do at ensuring the public benefit tests and monitoring and stewardship of the lands we have under conservation easement. Moreover, MALT supported increased reporting requirements to ensure that all necessary state agencies have the correct easement information.

As a small non-profit with a staff of four we feel that we already have to answer to numerous entities to ensure we are doing our work above board and as a benefit to our community. We must ensure that our conservation easements pass muster with IRS and state codes for the protection of our both the land trust and the landowners. We have to verify our policies and procedures are in conformance with the Land Trust Alliance's Standards and Practices which we adopt on a regular basis to maintain membership. We have to answer to our fellow Montana land trusts through the Montana Association of Land Trusts who has imposed the highest standards on each other for excellence in operating procedures. We have to answer to our landowner partners who look to us to provide them with the most current information on conservation easement procedures including stewardship and monitoring. And lastly, and perhaps most importantly we have to answer to our members and our community who look to us to provide leadership in private land conservation.

To be succinct, if we fail any other these tests we are out of business. The confusing and redundant provisions in Senate Bill 473 would not only tax our already maximized capacity to operate at the highest level it could make us less effective in our efforts to serve our communities.

Thank you for the opportunity to comment.